AMENDMENTS TO THE CLAIMS

Claims 1-10 (canceled)

11. (New) A method of changing a recording mode between CAV (Constant Angular Velocity) and CLV (Constant Linear Velocity), comprising the steps of:

(a) detecting a sync signal from signals embedded in a wobbled physical track;

(b) checking the frequency of the detected sync signal; and

(c) determining whether to change the recording mode or not based on the checked frequency.

12. (New) The method set forth in claim 11, wherein in step (a) said sync signal is detected while recording input data to a recording medium in CAV mode.

13. (New) The method set forth in claim 11, wherein in step (a), said sync signal is a predetermined signal and said detecting step detects a period of said predetermined signal.

14. (New) The method set forth in claim 11, wherein in step (c), changing the recording mode changes a rotating mode from CAV to CLV according to said checked frequency.

15. (New) The method set forth in claim 11, wherein in step (c) said determining determines a recording speed according to said checked frequency.

16. (New) The method set forth in claim 15, wherein the determined recording speed is based on the predetermined signal.

17. (New) The method set forth in claim 16, wherein said determining includes comparing the determined recording speed with a predetermined speed.

18. (New) The method set forth in claim 17, wherein the predetermined speed is determined by an encoding speed of an encoder or properties of the recording medium.

19. (New) A method of changing a recording mode between CAV (Constant Angular Velocity) and CLV (Constant Linear Velocity), comprising the steps of:

(a) detecting a signal embedded in a wobbled physical track;

(b) checking the frequency of the detected signal; and

(c) determining whether to change the recording mode or not based on the checked frequency.

20. (New) The method set forth in claim 19, wherein in step (a) said signal is detected while recording input data to a recording medium in CAV mode.

21. (New) The method set forth in claim 19, wherein in step (a), said signal is a predetermined signal and said detecting step detects a period of said predetermined signal.

22. (New) The method set forth in claim 19, wherein in step (c), changing a recording mode changes a rotating mode from CAV to CLV according to said checked frequency.

23. (New) The method set forth in claim 19, wherein in step (c) said determining determines a recording speed according to said checked frequency.

24. (New) The method set forth in claim 19 wherein in step (b), the step of checking includes measuring the frequency of a low frequency component of said signal, said signal being formed along a spiral physical track.

25. (New) The method set forth in claim 24, further including comparing the measured frequency with a predetermined frequency.

26. (New) The method set forth in claim 24, wherein said signal is a

wobble signal and said measuring converts the wobble signal to a square wave and counts pulses of the square wave.

27. (New) The method set forth in claim 25, wherein the predetermined frequency is determined by an encoding speed of an encoder or properties of a recording medium.

28. (New) The method set forth in claim 25, further including determining when to change the recording mode to CLV based on the comparing step.

29. (New) An Apparatus for of changing a recording mode between CAV (Constant Angular Velocity) and CLV (Constant Linear Velocity), the apparatus comprising:

(a) detecting means detecting a signal from signals embedded in a wobbled physical track;

(b) checking means checking the frequency of the detected signal; and

(c) determining means determining whether to change the recording mode or not based on the checked frequency.